

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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ARRELLO BARNES,

Plaintiff,

DECISION AND ORDER

07-CV-6197L

v.

FEDELE, et al.,

Defendants.

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Plaintiff's motion for summary judgment (Dkt. #74) is denied. At this stage of the proceedings, there are material issues of fact which preclude judgment as a matter of law at this time. The parties are engaged in discovery and that should continue.

IT IS SO ORDERED.



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DAVID G. LARIMER

United States District Judge

Dated: Rochester, New York  
August 25, 2010.